

REMARKS

The Office Action mailed on July 6, 2000 has been received and its contents have been carefully reviewed. Claims 1-9 were pending in this application. By way of the present proposed amendment, claim 3 has been canceled, claim 1 has been amended (to incorporate features previously recited in claim 3), and claims 10-20 have been added. Therefore, claims 1-2 and 4-20 are presented for further consideration on the merits.

The Office Action has rejected claims 1-4 and 9 as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 5,265,672 to Aoki ("Aoki"). In addition, claims 5-6 have been rejected under section 102(b) based on Japanese Application Publication No. 4-288485 to Kado ("Kado"). Finally, claims 7 and 8 have been rejected as obvious under 35 U.S.C. § 103 based on Kado in view of Japanese Application Publication No. 4-244596 to Ikagawa ("Ikagawa"). To the extent that these rejections may be applied to the presently pending claims, they are respectfully traversed.

Concerning the rejection of claims 1-4 and 9 based on Aoki, Aoki does not appear to disclose or suggest the recited feature in claim 1 that the size of the reinforcement holes are formed to be the same size or larger than the tube holes. Applicants understand that Aoki does not disclose or suggest any details on the respective sizes of the connection holes 51 and holes for the reinforcement slit 5a of the reinforcement member 6. In that regard, the figures (for example, Figure 2) actually indicate that the tube connection holes 51 may be larger than the holes for the reinforcement slit 5a. Applicants do not understand column 3, lines 51-55 as disclosing a respective size of the tube holes compared to the reinforcement holes, but rather this section appears to discuss features of Aoki's reinforcement holes and their connection to the header.

To further distinguish the present invention from Aoki, the features previously recited in claim 3 have been added to independent claim 1. Aoki does not disclose specific shape of the reinforcement hole that allows for press-fitting, as recited in claim 1. Moreover, the other applied references do not appear to disclose at least the features added to claim 1. Claims 2 and 4 depend from claim 1, and are patentable for at least the reasons noted for claim 1.

As to claim 9, Aoki does not appear to disclose at least the method feature of guiding the fins along a horizontal guide surface formed in a base member. Therefore, the anticipation rejection based on Aoki cannot stand.

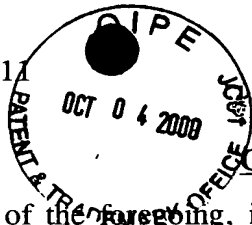
Moving to the rejection of claims 5 and 6 based on Kado, Kado does not disclose any holes for fixing the reinforcement member 40 to the headers, so that it does not meet the "reinforcement hole" recitation in claim 5. Despite the anticipation rejection, the Office Action appears to admit this fact in its discussion of the rejection of claims 7 and 8. Further, Kado does not appear to disclose or suggest having the width of the reinforcement member smaller than the width of the fin, as recited in claim 5. Further, while Ikagawa may disclose a hole for the reinforcement member, it would not have been obvious to the person of ordinary skill in the art to include this feature with the heat exchanger of Kado. It would be unclear on how to insert the reinforcement member 40 into such a hole in the connecting plate 12 yet still have the reinforcement member cover part of the fin 30, shown for example in Figure 3 of Kado.

In addition, claims 7 and 8, which depend from claim 5, are patentable for at least the reasons noted for claim 5.

New dependent claims 10-20 have been added to more fully recite various features of the invention. Exemplary support for these features may be found as follows: (a) ^{6, 7, 5}claim 10 - page 13, lines 13-15; (b) ^{6, 7}claims 11-12 -- page 16, lines 12-20; (c) claims 13-14 -- page 12, lines 10-11 and page 17, lines 1-8; (d) claims 15-17 -- page 12, lines 22-24; (e) claim 18 -- page 17, lines 11-13; and (f) claims 19-20 -- page 18, lines 26-28. These claims are patentable for at least the reasons noted above with their respective independent claims, and recite additional patentable features.

In short, Applicant respectfully asserts that claims 1-2 and 4-20 are patentable over the cited art.

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CONCLUSION

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pavan K. Agarwal", written over a horizontal line.

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October 4, 2000
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